

REMARKS

Introduction

Claims 6-8, 11, 14, 15, and 21 are pending. Claims 6, 7, 8, 11, and 21 have been amended. Support for these amendments can be found in the original claims and at pg. 17, lines 10-16 of the specification as filed. No new matter has been added.

A new search is not believed to be necessary as these amendments seek to clarify the invention disclosed and examined in the previous version of the claims. Applicants request that these amendments be entered into the record.

Claims 1-5, 9-10, 12-20, and 22-24 have been cancelled without prejudice to the subject matter therein. Applicants expressly reserve the right to pursue the subject matter of the cancelled claims in this application or in another application.

Rejection under 35 U.S.C. §112 (second paragraph)

Claims 6-8, 14-15, and 20 have been rejected under the second paragraph of 35 U.S.C. §112 as allegedly being indefinite. Applicants traverse.

To expedite prosecution, claims 6-8, 11, and 21 have been amended to address the Examiner's concerns. Claim 6 now recites that the cell expresses a translation product of a gene coding for amino acids of SEQ ID NO: 1. Claim 7 has been amended to recite a test animal developing symptoms of Alzheimer's Disease.

The amended claims clearly recite the metes and bounds of the claimed invention. Applicants respectfully assert that the rejection of the claims under 35 U.S.C. §112 second paragraph is moot and/or has been overcome and request that it be withdrawn.

Rejection under 35 U.S.C. §112 (first paragraph)

Claims 6-8, 11, 14-15, and 20-22 have been rejected under the first paragraph of 35 U.S.C. §112 as allegedly failing to comply with the enablement requirement. Applicants traverse.

To expedite prosecution, the claims have been amended to recite that the methods are directed to detecting modulators of the amino acid sequence of SEQ ID NO: 1, which is an indicator

that the test compound is a modulator of Alzheimer's disease (AD). The specification provides that "rab31, as a vesicle membrane-associated protein, participates in the regulation of vesicle trafficking, targeting and fusion." See paragraph [0009] and SEQ ID NO:1 (the amino acid sequence of human rab31 protein). The specification further states that "[r]ab31 may, for instance, impact on sorting and targeting of transport vesicles containing the amyloid precursor protein (APP) and, thereby, have a causative role in the development of AD." See paragraph [0009]. This disclosure, along with the differential expression of the rab31 gene found in AD patients when compared to control patients, fully enables the claims which are directed to modulators of the amino acid sequence of SEQ ID NO: 1, which is an indicator that the test compound is a modulator of Alzheimer's disease (AD).

For at least the above reasons, the rejections under the first paragraph of 35 U.S.C. §112 have not been properly established and/or have been overcome or rendered moot. Applicants request their timely withdrawal.

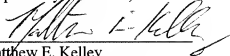
CONCLUSION

Applicants believe that the present application is in condition for allowance. Accordingly, Applicants request that the Examiner issue a Notice of Allowance indicating the allowability of the claims and that the application be passed to issue. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

The Commissioner is authorized to charge any deficiency in any patent application processing fees pursuant to 37 CFR §1.17, including extension of time fees pursuant to 37 CFR §1.17(a)-(d), associated with this communication and to credit any excess payment to Deposit Account No. 22-0261.

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Respectfully submitted,

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